

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

UNITED STATES OF AMERICA, )  
                                )  
Plaintiff,                 )                              No. 3:04-00074-01  
                                )                              Chief Judge Haynes  
v.                            )  
                                )  
VINCENT ZIRKER,            )  
                                )  
Defendant.                 )

**O R D E R**

Before the Court is the Defendant's motion for extradition of motion for clarification of judgment and commitment order, (Docket Entry No. 303), to which the Government has not responded.

On April 18, 2008, the Court sentenced the Defendant to 130 months with six years supervised release that included a condition that Defendant spend sixty (60) months of his supervised release in a community corrections center or halfway house approved by the Bureau of Prisons ("BOP"). (Docket Entry No. 261).

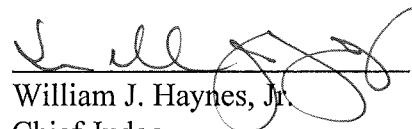
On May 15, 2013, the Court altered Defendant's sentence by reducing the amount of time Defendant is required to spend in a community corrections center or halfway house from sixty (60) months to fifty-four (54) months to avoid prejudice to the Defendant due to the Bureau of Prison's policy of denying an inmate halfway house placement for the last six months of their incarceration if halfway house placement is already a condition of his supervised release. (Docket Entry No. 301).

The Defendant requests that the Court reduce the amount of time Defendant is required to spend in a halfway house from fifty-four (54) months to less than twelve (12) months in order to facilitate his placement in a halfway house or community correction facility. (Docket Entry No. 303).

The Government is to respond within seven days (7) as to whether it objects to the Court modifying Defendant's conditions of supervised release in sentencing Defendant to home confinement in lieu of or in combination with placement in a community corrections center or halfway house.

It is so **ORDERED**.

ENTERED this the 8<sup>th</sup> day of July, 2013.



William J. Haynes, Jr.  
Chief Judge  
United States District Court